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Attorney's Docket No. 35718/242052(5718-158)

*M.P/S*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Duvick et al.  
Appl No.: 10/047,825 Confirmation No.: 5366  
Filed: January 16, 2002  
For: MAIZE PEROXIDASE GENES AND THEIR USE FOR IMPROVING  
PLANT DISEASE RESISTANCE AND STALK STRENGTH

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application dated March 15, 2002, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$130 to cover the surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- Other:

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

*Kathryn L. Coulter*

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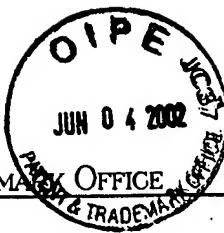
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on May 15, 2002.

*Nora C. Martinez*  
Nora C. Martinez



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/047,825	01/16/2002	Jon P. Duvick	35718/242052(5718-158)

CONFIRMATION NO. 5366

00826  
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FORMALITIES LETTER



\*OC000000007646078\*

Date Mailed: 03/15/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

*Y. G.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE